

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

ARI TEMAN,

Defendant.

19 Cr. 696 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

Late on Sunday, October 8, 2023, defendant Ari Teman filed a *pro se* letter on the docket of this case. Dkt. 403. In the letter, Teman, whom the Court has ordered to surrender to the Bureau of Prisons (BOP) facility to which he has been designated by 2 p.m. on Tuesday, October 10, 2023, seeks, anticipatorily, his compassionate release from BOP custody, on account of various medical conditions.

The Court declines to alter Teman's surrender date based on this last-minute letter.

The Court, however, will consider Teman's request for compassionate release on the timetable provided for by the governing regulations: after Teman has "fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility." 18 U.S.C. § 3582(c)(1)(A). Upon Teman's filing a letter on the docket of this case substantiating that this requirement of administrative exhaustion has been met, and attaching his application for compassionate release, the Court will commission a response from the Government, and thereafter rule on Teman's application.

Because this order is being issued on a federal holiday on which the Court is closed, the Court, to assure prompt receipt, is emailing a copy of this order to Teman's appellate counsel

(who recently appeared on the docket of this case for Teman in connection with an unsuccessful attempt to adjourn the surrender date) and to Government counsel.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: October 9, 2023
New York, New York